



STATE OF NEW JERSEY

In the Matter of Maylin Carmona,
Field Representative Citizens
Complaints (PC3119C), Essex County

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2022-71

Examination Appeal

**ISSUED: SEPTEMBER 7, 2021
(SLK)**

Maylin Carmona appeals the determination of the Division of Agency Services (Agency Services) that the promotional examination for Field Representative Citizens Complaints (PC3119C), Essex County was not a promotion.

The subject promotional examination had a closing date of April 21, 2021. The experience requirements were one year of field work for a community organization and/or in a public or private social agency, or one year of experience in conducting field investigations which shall have involved the gathering of data and the compiling of data into meaningful reports. A total of 32 employees applied and all 32 were found to be ineligible. Accordingly, the examination was cancelled due to a lack of qualified candidates.

On the appellant’s application, she indicated that she was a Keyboarding Clerk 2, Bilingual in Spanish and English from September 2009 to the April 21, 2021 closing date, a Social Worker Intern for Elliott Street Elementary from September 2019 to April 2020, and a Substitute Teacher for the Newark Board of Education from September 2019 to the closing date. Personnel records indicate that the appellant was a Keyboarding Clerk 2, Bilingual in Spanish and English from September 2017 to the closing date and a Keyboarding Clerk 1 from October 2009 to September 2017. Agency Services determined that the appellant was not eligible for the subject

examination as the subject title did not constitute a promotion from her permanent title.

On appeal, the appellant presents that her department emailed her notice that the subject examination was open to all eligible employees in her department. She indicates that she has over 10 years of experience within the public sector, has a Bachelor's degree in Social Work, and is certified by the State as a Social Worker. The appellant states that she was not aware of "class code" specifications and acknowledges that the subject title would be a lateral move and not a promotional advancement as stated in the announcement. However, the appellant believes that her experience, education, and State certification as a Social Worker qualifies her for a position in the subject title.

CONCLUSION

N.J.A.C. 4A:1-1.3 defines a promotion in local service as an advancement in title. To determine such advancement, each title is assigned a class code. To be considered a promotion, a title must have a higher class code than the former title.

N.J.A.C. 4A:4-2.6(a) indicates that all requirements in a promotional announcement must be met as of the closing date. *N.J.A.C.* 4A:4-6.3(b) provides, in pertinent part, that the appellant shall have the burden of proof in examination appeals.

Initially, it is noted that the appointing authority's notice to the appellant concerning the subject examination indicated that it was only open to **eligible** employees in her department. Further, it is only this agency that determines an applicant's eligibility for an examination.

In this matter, Agency Services correctly determined that the appellant was not eligible for the subject examination as the subject title was not a promotion for the appellant. Specifically, a review of official personnel records indicates that the appellant has permanent status in the title of Keyboarding Clerk 2, Bilingual in Spanish and English, which has a designated class code of 3. However, the Field Representative Citizens Complaint title is also designated as class code 3. A class code is a designation assigned to job titles in local government with ranking based upon an evaluation of job content, experience and education. Thus, as acknowledged by the appellant, because she is in a permanent title that has the same class code as the title under test, the subject title does not represent a promotion, but rather a lateral move, and she, therefore, is not eligible for the promotional examination announcement regardless of her belief about her qualifications. Rather, she would be required to undergo lateral title change procedures. See *N.J.A.C.* 4A:4-7.6.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 1ST DAY OF SEPTEMBER, 2021

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